Bill No. CS for SB 1212, 1st Eng.

Amendment No. ____

	CHAMBER ACTION <u>Senate</u> <u>House</u>
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11	Senator Saunders moved the following amendment:
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13	Senate Amendment (with title amendment)
14	On page 27, between lines 13 and 14,
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16	insert:
17	Section 23. Section 90.612, Florida Statutes, is
18	amended to read:
19	90.612 Mode and order of interrogation and
20	presentation
21	(1) The judge shall exercise reasonable control over
22	the mode and order of the interrogation of witnesses and the
23	presentation of evidence, so as to:
24	(a) Facilitate, through effective interrogation and
25	presentation, the discovery of the truth.
26	(b) Avoid needless consumption of time.
27	(c) Protect witnesses from harassment or undue
28	embarrassment.
29	(d) Take special care to protect a witness under age
30	14 from undue harassment or embarrassment and to restrict the
31	unnecessary repetition of questions. The court shall also take
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special care to ensure that the questions are stated in a form
that is appropriate to the age and understanding of the
witness. The court may, in the interests of justice, on
objection by a party, forbid the asking of a question that is
in a form that can not reasonably be understood by a person of
the age and understanding of the witness.
       (2) Cross-examination of a witness is limited to the
subject matter of the direct examination and matters affecting
the credibility of the witness. The court may, in its
discretion, permit inquiry into additional matters.
       (3) Leading questions should not be used on the direct
examination of a witness except as may be necessary to develop
the witness's testimony. Ordinarily, leading questions should
be permitted on cross-examination. When a party calls a
hostile witness, an adverse party, or a witness identified
with an adverse party, interrogation may be by leading
questions.
(Redesignate subsequent sections.)
======= T I T L E A M E N D M E N T =========
And the title is amended as follows:
       On page 2, line 11, after the semicolon,
insert:
       amending s. 90.612, F.S.; requiring a judge to
       protect a witness under a specific age from
       undue harassment or embarrassment during
       interrogation and to restrict unnecessary
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repetition of questions; requiring that

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questions be stated in a form appropriate to the age and understanding of the witness; authorizing a court to forbid questions that are not in a form reasonably understood;